

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Christian GARTNER et al  
SERIAL NO. : 10/770,708  
CUSTOMER NO. : 27384  
FILED : February 3, 2004  
FOR : DEVICE AND METHOD FOR MANUFACTURING DENTAL  
PROSTHESIS  
ART UNIT : 3732  
EXAMINER : Jonathan S. Werner

Commissioner for Patents  
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**DECLARATION UNDER 37 CFR § 1.132**

SIR:

I, Martha Bohus, of Königsbrunn, Germany, hereby declare

as follows:

1. I am familiar with both the English language and the German language.
2. I am competent to make translations from German into English.
3. I have compared German Application No. 103 04 757.3 (hereinafter "the German application"), filed on February 5, 2003, to U.S. Application No. 10/770,708 (hereinafter "the U.S. application"), filed on February 3, 2004, which published as US 2004/0219490 (hereinafter "the U.S. publication") on November 4, 2004.

4. I am informed that the specification of the U.S. application was translated from the text of the German application.

5. In comparing the German application to the U.S. publication, I have noted a couple of translation errors.

6. First, paragraph [0004] of the U.S. publication is incorrectly translated from the German. Below, I give the original German paragraph and a markup of the corresponding English paragraph showing how it should correctly read based on the original German:

Original German text:

Es stellt sich die Aufgabe, ein Verfahren zur Herstellung von Zahnprothesen zu entwickeln, bei dem möglichst die gesamte Planung und Durchführung rechnergesteuert oder rechnerunterstützt ablaufen.

Markup Showing the Correct U.S. Text:

[0004] The object of the invention is to develop a method for manufacturing dentures and prostheses wherein by as much as possible of the entire planning and implementation proceeds in a computer-controlled or computer-assisted manner.

7. Second, paragraph [0005] of the U.S. publication is likewise incorrectly translated from the German. Again, I give the original German paragraph and a markup of the corresponding English paragraph showing how it should correctly read based on the original German:

Original German text:

Im Vorliegenden wird ein Herstellungsverfahren für Zahnprothesen beschrieben, bei dem auch die Aufstellung der Zähne virtuell am Rechner durchgeführt wird. Dabei werden die Datensätze konfektionierter Zähne in ein virtuelles Modell der Mundsituation eingepasst.

Aus den danach vorliegenden Daten kann die Prothesenbasis direkt mittels CAM-Methoden hergestellt werden; oder es erfolgt das Einsetzen der konfektionierten Zähne in das physische Modell.

Markup Showing the Correct U.S. Text:

[0005] A manufacturing method for ~~dentures~~ ~~al~~ prostheses is described herein, in which the placement of the teeth is also virtually performed on the computer. The data records for fabricated teeth are fitted into a virtual model of the oral situation. The denture base can be manufactured directly from the subsequent data, using CAM methods, or the fabricated teeth are inserted in the physical model.

8. In this regard, I note that the correct English translation of the German word "Zahnprothese" is denture and "Prothesenzähne" is denture teeth, in this context.

9. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that the foregoing statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

